

222.001

222.406-13 Semiannual enforcement reports.

Subpart 222.6—Contracts for Materials, Supplies, Articles, and Equipment Exceeding \$15,000

222.604 Exemptions.

222.604-2 Regulatory exemptions.

Subpart 222.8—Equal Employment Opportunity

222.806 Inquiries.

222.807 Exemptions.

Subpart 222.10—Service Contract Labor Standards

222.1003 Applicability.

222.1003-1 General.

222.1008 Procedures for obtaining wage determinations.

222.1008-1 Obtaining wage determinations.

Subpart 222.13—Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans

222.1305 Waivers.

222.1308 Complaint procedures.

222.1310 Solicitation provision and contract clauses.

Subpart 222.14—Employment of Workers with Disabilities

222.1403 Waivers.

222.1406 Complaint procedures.

Subpart 222.17—Combating Trafficking in Persons

222.1703 Policy.

222.1704 Violations and remedies.

Subpart 222.70—Restrictions on the Employment of Personnel for Work on Construction and Service Contracts in Noncontiguous States

222.7000 Scope of subpart.

222.7001 Definition.

222.7002 General.

222.7003 Waivers.

222.7004 Contract clause.

Subpart 222.71—Right of First Refusal of Employment

222.7101 Policy.

222.7102 Contract clause.

Subpart 222.72—Compliance with Labor Laws of Foreign Governments

222.7201 Contract clauses.

48 CFR Ch. 2 (10-1-14 Edition)

Subpart 222.73—Limitations Applicable to Contracts Performed on Guam

222.7300 Scope of subpart.

222.7301 Prohibition on use of nonimmigrant aliens.

222.7302 Contract clause.

Subpart 222.74—Restrictions on the Use of Mandatory Arbitration Agreements

222.7400 Scope of subpart.

222.7401 Definition.

222.7402 Policy.

222.7403 Applicability.

222.7404 Waiver.

222.7405 Contract clause.

AUTHORITY: 41 U.S.C. 1303 and CFR chapter 1.

SOURCE: 56 FR 36358, July 31, 1991, unless otherwise noted.

222.001 Definitions.

Labor advisor, as used in this part, means the departmental or agency headquarters labor advisor.

[56 FR 36358, July 31, 1991, as amended at 72 FR 20763, Apr. 26, 2007]

Subpart 222.1—Basic Labor Policies

222.101 Labor relations.

222.101-1 General.

Follow the procedures at PGI 222.101-1 for referral of labor relations matters to the appropriate authorities.

[71 FR 18670, Apr. 12, 2006]

222.101-3 Reporting labor disputes.

Follow the procedures at PGI 222.101-3 for reporting labor disputes.

[71 FR 18670, Apr. 12, 2006]

222.101-3-70 Impact of labor disputes on defense programs.

(a) Each department and agency shall determine the degree of impact of potential or actual labor disputes on its own programs and requirements. For guidance on determining the degree of impact, see PGI 222.101-3-70(a).

(b) Each contracting activity shall obtain and develop data reflecting the impact of a labor dispute on its requirements and programs. Upon determining that the impact of the labor dispute is significant, the head of the

contracting activity shall submit a report of findings and recommendations to the labor advisor in accordance with departmental procedures. This reporting requirement is assigned Report Control Symbol DD-AT&L(AR)1153 and must include the information specified at PGI 222.101-3-70(b).

[71 FR 18670, Apr. 12, 2006]

222.101-4 Removal of items from contractors' facilities affected by work stoppages.

(a) When a contractor is unable to deliver urgent and critical items because of a work stoppage at its facility, the contracting officer, before removing any items from the facility, shall—

(i) Before initiating any action, contact the labor advisor to obtain the opinion of the national office of the Federal Mediation and Conciliation Service or other mediation agency regarding the effect movement of the items would have on labor negotiations. Normally removals will not be made if they will adversely affect labor negotiations.

(ii) Upon the recommendation of the labor advisor, provide a written request for removal of the material to the cognizant contract administration office. Include in the request the information specified at PGI 222.101-4(a)(ii).

(iii) With the assistance of the labor advisor or the commander of the contract administration office, attempt to have both the management and the labor representatives involved agree to shipment of the material by normal means.

(iv) If agreement for removal of the needed items cannot be reached following the procedures in paragraphs (a) (i) through (iii) of this subsection, the commander of the contract administration office, after obtaining approval from the labor advisor, may seek the concurrence of the parties to the dispute to permit movement of the material by military vehicles with military personnel. On receipt of such concurrences, the commander may proceed to make necessary arrangements to move the material.

(v) If agreement for removal of the needed items cannot be reached following any of the procedures in paragraphs (a) (i) through (iv) of this sub-

section, refer the matter to the labor advisor with the information required by 222.101-3-70(b). If the labor advisor is unsuccessful in obtaining concurrence of the parties for the movement of the material and further action to obtain the material is deemed necessary, refer the matter to the agency head. Upon review and verification that the items are urgently or critically needed and cannot be moved with the consent of the parties, the agency head, on a non-delegable basis, may order removal of the items from the facility.

[56 FR 36358, July 31, 1991, as amended at 71 FR 18670, Apr. 12, 2006]

222.101-70 Acquisition of stevedoring services during labor disputes.

(a) Use the following procedures only in the order listed when a labor dispute delays performance of a contract for stevedoring services which are urgently needed.

(1) Attempt to have management and labor voluntarily agree to exempt military supplies from the labor dispute by continuing the movement of such material.

(2) Divert vessels to alternate ports able to provide necessary stevedoring services.

(3) Consider contracting with reliable alternative sources of supply within the stevedoring industry.

(4) Utilize civil service stevedores to perform the work performed by contract stevedores.

(5) Utilize military personnel to handle the cargo which was being handled by contract stevedores prior to the labor dispute.

(b) Notify the labor advisor when a deviation from the procedures in paragraph (a) of this subsection is required.

222.102 Federal and State labor requirements.

222.102-1 Policy.

(1) Direct all inquiries from contractors or contractor employees regarding the applicability or interpretation of Occupational Safety and Health Act (OSHA) regulations to the Department of Labor.